

1
2
3
4
5
6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,)
9 Plaintiff,)
10 v.) 2:10-CR-587-KJD-(GWF)
11 DENIRO WESTFIELD,)
12 Defendant.)

13 **AMENDED FINAL ORDER OF FORFEITURE**

14 On July 5, 2011, the United States District Court for the District of Nevada entered a
15 Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United
16 States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c) based upon the
17 plea of guilty by defendant DENIRO WESTFIELD to the criminal offense, forfeiting specific
18 property alleged in the Criminal Indictment and agreed to in the Plea Memorandum and shown by
19 the United States to have the requisite nexus to the offense to which defendant DENIRO
20 WESTFIELD pled guilty. Criminal Indictment, ECF No. 1; Change of Plea Minutes, ECF No. 20;
21 Plea Memorandum, ECF No. 21; Preliminary Order of Forfeiture, ECF No. 22.

22 This Court finds the United States of America published the notice of the forfeiture in
23 accordance with the law via the official government internet forfeiture site, www.forfeiture.gov,
24 consecutively from July 13, 2011, through August 11, 2011, notifying all third parties of their right
25 to petition the Court. Notice of Filing Proof of Publication, ECF No. 23.

26 . . .

1 On January 8, 2013, the United States Marshals Service personally served Summer Parke
2 with the Preliminary Order of Forfeiture and the Notice. Notice of Filing Service of Process, ECF
3 No. 27.

4 On March 22, 2013, the United States Marshals Service served CT Corporation System,
5 Registered Agent for the Allstate Corporation, with the Preliminary Order of Forfeiture and the
6 Notice via Regular Mail and Certified Mail, return receipt requested. Notice of Filing Service of
7 Process, ECF No. 32, pgs. 3-19.

8 On March 22, 2013, the United States Marshals Service served Thomas J. Wilson, CEO of
9 the Allstate Corporation, with the Preliminary Order of Forfeiture and the Notice via Regular Mail
10 and Certified Mail, return receipt requested. Notice of Filing Service of Process, ECF No. 32, pgs.
11 20-27. Notice of Filing Service of Process, ECF No. 33, pgs. 1-12.

12 On March 22, 2013, the United States Marshals Service served Allstate Southwest Regional
13 Department, with the Preliminary Order of Forfeiture and the Notice via Regular Mail and Certified
14 Mail, return receipt requested. Notice of Filing Service of Process, ECF No. 32, pgs. 28-44.

15 On March 22, 2013, the United States Marshals Service served Allstate Insurance, Attn:
16 Mary Paradise, with the Preliminary Order of Forfeiture and the Notice via Regular Mail and
17 Certified Mail, return receipt requested. Notice of Filing Service of Process, ECF No. 32, pgs. 45-
18 61.

19 On January 31, 2013, Summer D. Jaques (maiden name Summer D. Parke) filed a Claim
20 with the court. On February 25, 2013, the Government filed an Unopposed Motion to Continue the
21 Date to Respond to Summer Jaques' Motion for Return of Property (ECF No. 30). On February 26,
22 2013, the Order Granting the Unopposed Motion to Continue the Date to Respond to Summer
23 Jaques' Motion for Return of Property was entered (ECF No. 31). On April 19, 2013, the Petition,
24 Stipulation for Return of Property and Order was filed with the court (ECF No. 34). On April 25,
25 2013, the Order Granting the Petition, Stipulation for Return of Property was entered (ECF No. 35).

26 . . .

1 This Court finds no other petitions were filed herein by or on behalf of any person or entity
2 and the time for filing such petitions and claims has expired.

3 This Court finds no petitions are pending with regard to the assets named herein and the
4 time for presenting such petitions has expired.

5 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all right,
6 title, and interest in the property hereinafter described is condemned, forfeited, and vested in the
7 United States of America pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P.
8 32.2(c)(2); Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section
9 2461(c); and Title 21, United States Code, Section 853(n)(7) and shall be disposed of according to
10 law:

- 11 1. Glock, Model 19, .9mm caliber handgun, serial number GVM864; and
- 12 2. any and all ammunition ("property").

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited
14 funds, including but not limited to, currency, currency equivalents, certificates of deposit, as well as
15 any income derived as a result of the United States of America's management of any property
16 forfeited herein, and the proceeds from the sale of any forfeited property shall be disposed of
17 according to law.

18 The Clerk is hereby directed to send copies of this Order to all counsel of record and three
19 certified copies to the United States Attorney's Office.

20 DATED this 14th day of May, 2013.

21
22
23 
24 _____
25 UNITED STATES DISTRICT JUDGE
26

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26

CM/ECF:

/s/ Michelle C. Lewis
Michelle C. Lewis
Paralegal Specialist